					,		
Comment	Section	Subject	Date Captured	Comment	Staff Analysis	Proposed Action	Applied
				There are some SLDC defined terms			
					Staff has identified specific terms that should be		Capitalized defined terms throughout the
1	11	  Formatting		•	• *************************************		document.
		Tomatting	1/30/2019	These should be capitalized.	11.1 is the purpose section and does not directly	ouplicanzo de mesos	
					address temporal impacts. Section 2.2.6 of the		
					SGMP describes the purpose of DCI regulation		
				No mention of temporal aspect of	including the long-term impacts. Staff has		
				DCIs. The long-term impact of DCIs	determined that modifying 11.1 to include mention		
2	11 1	Purpose	1/24/2019	should be addressed in the purpose.		Add long-term impacts to 11.1.	Added "long-term" to 11.1
	11.1	T di pose	1/24/2013	Add a requirement for a closure plan	1	Draft new section based on hardrock	
3	11 11	Sand and gravel	1/30/2019	to the sand and gravel section.	This was an oversight that will be addressed.	closure requirements 11.14.8	Added 11.11.4.6
-		Sand and graver	1/30/2013	Does not specify reclamation for	Small scale sand and gravel is addressed in Chapter		
4	11 11	sand and gravel	1/30/2019	small scale sand and gravel.		No action.	No change.
	11.11	Sand and graver	1/30/2013	Sinan scare sand and graver.	10 of the septe.		
				The County amendments duplicate			
				many state requirements of the NM			
				Mining Act and Rules for new units			
				and new mines. As a suggestion, the			
				applicant may benefit from being		Å	
P				able to submit the same documents		·	
				to both the state and county, and	*		
		7		supplement with additional			
				information when needed to fulfill	This is a good suggestion and will be addressed		
5	11.14	General	1/30/2019	more stringent requirements.	during the processing of applications.	No action.	No change.
				It will require significant expertise			
				and staff to implement these rules.			
		,		Depending on how many hard rock			
				mining operations the county has to			
1				deal with, this could be a strain on		8	
				resources. Will this group be			
		-		dedicated specifically to mine	The County will retain experts to assist in reviewing		
6	11.14	General	1	permitting?	applications and monitoring compliance.	No action.	No change.
				The permitting process indicates all			
				costs shall be recovered by the			
			1	County from the			
				Applicant/Permittee. Does the			
				County have a resource estimate of			
	ri e			the time and costs required for			
				reviews, inspections and outside	The County will estimate these costs after the		
7	11.14	General	11/30/2019	contractors?	receipt of an application.	No action.	No change.
7]_	11.14	General	11/30/2019	contractors?	receipt of an application.	INO action.	INO change.

Comment #	Section	Subject	Date Captured	Comment	Staff Analysis	Proposed Action	Applied
	antenna grafin klavit (i skoloveni menera i skoloveni klavit (i skoloveni i skoloveni i skoloveni i skoloveni			Include high voltage transmission lines as a DCI (issue of transmitting solar energy). Also, airstrips, launch sites, certain industrial operations, outdoor music and festival site, permanent outdoor film studios,	The goal of this planning process and resulting regulations is to address DCIs as currently defined in section 2.2.6 of the SGMP and Ch. 11 of the SLDC. If directed by the BCC per 2.2.6.7 of the		
	e-			power generating sites (geothermal etc.). All such operations have	SGMP, staff will investigate other potential DCIs	No action.	No change.
8	11.4	DCI definition		effects listed in 11.1.  High voltage transmission lines should be defined as a DCI and the process to achieve that should be		NO action.	no change.
				communicated to those who request		No action.	No change.
9	11.4	definitions	1/31/2019	It. High voltage transmission lines	See response to Comment #4 above.	No action.	ivo chunge.
10	11.4	definitions		should be addressed as part of the current SLDC amendment process.	See response to Comment #4 above.	No action.	No change.
				The draft does not address light pollution or light trespassing conditions. This should be addressed in Chapter 11. (See SF Muni. Code for Outdoor Lighting and the IES	Lighting requirements are included in Section 7.8 of the SLDC. These lighting requirements apply to all		
11	11.8	lighting	1/31/2019	documents)		No action.	No change.
				Both subsections require training, examination and blasting certification from MMD Director at EMNRD. This OSM training is a requirement for coal mining. MMD does not have this requirement for			
	11.11.4.5;			1	The County intends to require training, permits and	I a control of the co	N. Janes
12	11.14.2.10.4	blasting	1/30/2019	can require a blasting plan.	plans for both types of DCIs.	No action.	No change.  Added "all potential costs of impacts associated with mineral resource extraction
13	11.14.1.8	Purpose	1/30/2019	Add "associated impacts" to qualify extraction and processing.	This was an oversight that will be addressed.	Add "associated impacts"	and processing."
13	11.17.1.0		2/33/2013	This is not reasonable. If ceasing for 24 hours triggers a temporary cessation process then this would happen every weekend. Consider keeping noticing requirement for unexpected cessation greater than 24 hours but changing other requirements to a longer period,		Change days of operation to Monday through Saturday (11.14.6.1) and change unplanned cessation period to	
14	11.14.10	Temporary cessation	1/30/2019	perhaps 5 business days.	Staff agrees that this is too restrictive.	5 calendar days (11.14.10).	Friday to Saturday with Board discretion.

Comment #	Section	Subject	Date Captured	Comment	Staff Analysis	Proposed Action	Applied
15	11.14.2	Applicability	1/30/2019	Include definition of mineral resource extraction.	Agreed. See 19.10.1.7 NMAC for state definitions of mineral and mining.	Add definitions to the appendix. Make	Definitions for Exploration, Mineral, Mineral Resource Extraction and Processing, and Mining added to Appendix A. See 'Appendix Definitions 2.15.19'.
				the requirements may be onerous for a small-time miner, who pans for gold or disturbs less than 5 acres of mining. All applicants would have to create an extensive environmental impact report (subsection 11.7.1.8.1). Might want to change this for small mine operator. Would environmental impact be divided into no significant impact and			
16	11.14.2	applicability	1/30/2019	significant impact?	exploration, extraction and processing.	No action.	No change.
				Current language could restrict mapping and surveying by USGS and others. Remove "of any type" from		Add definition of exploration to the	Changes to 11.14.2.3 require Board approval of an exploration plan as part of the Overlay processes for mining; Definition of
17	11.14.2.3	exploration	1/30/2019	the end of paragraph.	applications.	the end of paragraph.	"exploration" added to Appendix.
				This section prohibits permits to extract or process uranium minerals or other radioactive material until the County adopts regulations. How might these regulations differ from the current regulations? MMD has a guideline for uranium mine	The County will develop regulations for uranium in the future if an application for uranium mining is filed and will take state regulations into		
18	11.14.2.4	uranium	1/30/2019	reclamation.	consideration in doing so.	No action.	No change.
					In consultation with our technical experts, it is determined that requiring 1000-yr flood data is feasible. NRC uses 1000-yr flood data in the design		
19	11.14.3	design criteria	1/24/2019	is 1,000 year flood data feasible?	of their mining facilities.	No action.	No change.
20	11.14.3	Design Criteria	1/30/2019	Does this apply to operations, closure or both?	This applies to both operations and closure.	No action.	No change.
(				Design criteria set standard that mineral processing and extracting shall not cause or contribute to depletion of a water resource or contamination in perpetuity. This would likely exclude mining below the water table or dewatering to mine ore below the water table, for example, and would probably	The design criteria is intended to protect the County's water resources. The application of the design criteria to a specific application is not within		
21	11.14.3.1	design criteria	1/30/2019	require complete backfilling of pits.	the scope of this regulation.	No action.	No change.

Comment #	Section	Subject	Date Captured	Comment	Staff Analysis	Proposed Action	Applied
22	11.14.3.2	Design criteria		NRC uses the 1000 year standard and it results in very large flood mitigation facilities that are not always effective for day-to-day weather events. Consider 500-year	Staff recognizes that a 1000-year flood design could be ineffective in certain scenarios. The LUA has the authority to allow or require designs that will handle smaller flows while preserving the requirement for a design that will handle larger flows anticipated in a changing climate regime (11.14.6.11.1).	No action.	No change.
				1000-yr storm requirement does not indicate the duration. For example MMD uses 100-yr/24 hr. storm. A 200-yr./24 hr. requirement may be more reasonable and more current analysis of climatic conditions would	•		11.14.3.2 Added "on thousand (1,000) year
23	11.14.3.2	1000-yr storm	1/30/2019	be worthwhile.	Agreed. Staff will indicate a duration.	Add: 24 hr. storm event.	twenty-four (24) hour storm event"
24	11.14.4.16.3	Operating Plan	1/30/2019	Requirement does not make sense if active treatment is prohibited. In some places demonstrable is	This was an oversight that will be addressed.	Remove 11.14.4.16.3	Removed: "3. a description of water treatment processes;"
				removed, in some places it is left, and in some places demonstrated is changed to demonstrable. They should be consistent. The qualification requirement is probably adequate because demonstrating the experience doesn't really make	Agreed. Demonstrable is not necessary. The LUA will evaluate expertise as part of the review	Remove demonstrable and demonstrated throughout the	Removed "demonstrable" and "demonstrated" throughout the document where referencing professional expertise.
25	11.14.4.22.2	reclamation	1/18/2019	The Baseline Data Report Requirement for a description of the ore body and mineralized zones may conflict with the NMMA 69-36-10 Confidentiality because operators may designate some exploration map, grade or location of ore reserves as confidential under state	To the extent that there is a conflict, the applicant	document.	
26	11.14.4.8.9	Baseline data report	1/30/2019	Does not address removal of slag/ore material/ reclamation without starting a new mine. Need for regulations just for reclamation	can bring that to the LUA for consideration.  Removal of historic mining materials for construction materials is considered a sand and gravel operation. Small scale sand and gravel would apply up to 20thou tons. Beyond that is a DCI. We did not consider the applicability of HRM to this situation of historic mine waste removal. In the future we could consider historic mine waste	No action.	No change.
27	11.14.4.8	Reclamation	1/22/2019	without new DCI.	removal under a different process.	No action.	No change.

Comment	Section	Subject	Date Captured	Comment	Staff Analysis	Proposed Action	Applied
28	8 11.14.4.8	Legacy mining	1/30/2019	The no active treatment clause of the design criteria (11.14.3.4) could prohibit treatment of existing sites in need of remediation. There should be an exception to this clause when remediating legacy mines.	We agree that treatment may be required to	a legacy mine site to acceptable levels without complying with the active treatment clause of the design criteria	Add: "The Board may allow an applicant to improve or remediate conditions at a legacy mine site to acceptable levels without complying with the active treatment clause of the design criteria (11.14.3.5)."
29	9 11.14.6.5	Remediation of Contaminated baseline and legacy uses	1/18/2019	Section on sulfide ore was removed and replaced with section on contaminated baseline and legacy uses. Please explain this change.	This section was removed because it was duplicative and staff determined it would be impractical to implement.	No action.	No change.
30	11.14.6.10	wildlife		Why is the wildlife provision removed from blasting?	Because wildlife impact mitigation was added as 11.14.4.19. This is a more comprehensive provision and applies to all aspects of the mine, including but not limited to blasting.	No action.	No change.
	1 11.14.6.11.2	Contaminated baseline		Add "as a result of anthropogenic activities" as a qualifier to contaminated baseline conditions.	Agreed. An applicant should not have to restore conditions beyond the natural baseline conditions existing before human activity.	Add: "and to the baseline condition existing before anthropogenic activity."	Added: "or to the baseline condition existing before anthropogenic activity"
32	2 11.14.6.4	Hazardous materials	1/30/2019	Mine waste is exempted from federal definition of hazardous materials. How does that exemption apply to this section?	To the extent that federal law controls the LUA will conform the permit accordingly. Mine waste is addressed in 11.14.6.7.	No action. Capitalize Hazardous Material throughout the document to reflect that it is defined in the SLDC appendix	Hazardous Materials capitalized throughout the document.
	3 11.14.6.7	Storage		Clean material like soils should be exempted from these storage requirements. Add "that have the potential to generate water contamination" as a qualifier to geological materials.	Agreed. Clean soil stored for the purpose of reclamation should be exempted from these storage requirements.	Add: "that have the potential to generate water contamination except	Added: "that have the potential to generate f water contamination except for clean soil stored for the purpose of reclamation"
	11.14.6.7	facilities for storage		preferences dry stacked tailings impoundment, double lined electronic grid leak detection system for process solution management ponds, and highwalls backfilled/regraded to 3(H) to 1(V) o flatter. These prescriptive designs may limit the evaluation of other		No action.	No change.

Is this requirement for operation, closure, or both?  Add that the LUA can consider historical evidence. Include the cost of long term operation and management of facilities to performance financial guarantee  Performance financial guarantee  1/30/2019  Performance financial guarantee  1/30/2019  Intervallment is for operation and management of facilities to performance financial guarantee.  This requirement is for operation  Add that the LUA can consider historical evidence. Include the cost of long term operation and management of facilities along with dosure, reclamation, monitoring and all costs associated with an operator ceasing operations. Shall be updated annually to reflect changes in any of these costs.  This subsection references irrevocable guarantees issued by a surety company. This appears to allow surety bonds, when the subsection 11.5.7.6 requires a guarantee be posted with a bank as an irrevocable [letter or credit or LOC]. The FA terminology is nonstandard and should be clarified	ent Section	Subject	Date Captured	Comment	Staff Analysis	Proposed Action	Applied
aqueous tailings should be banned in lake into account the hest available science in making a final determination.  No action.  No change.  1/30/2019 Tailings methods should be accepted by oscible to achieve during operation but are good for closure. State for color. It is a special to the foundation remaining in place or not. Factor of 1.0 is a 50/50 chance of feature during operation. It is this requirement for operation, and the foundation remaining in place or not. Factor of 1.0 is a 50/50 chance of the foundation remaining in place or not. Factor of 1.0 is a 50/50 chance of the foundation remaining in place or not. Factor of 1.0 is a 50/50 chance of the foundation remaining in place or not. Factor of 1.0 is a 50/50 chance of the foundation remaining in place or not. Factor of 1.0 is a 50/50 chance of the foundation remaining in place or not. Factor of 1.0 is a 50/50 chance of the foundation remaining in place or not. Factor of 1.0 is a 50/50 chance of the foundation remaining in place or not. Factor of 1.0 is a 50/50 chance of the foundation remaining in place or not. Factor of 1.0 is a 50/50 chance of the foundation remaining in place or not. Factor of 1.0 is a 50/50 chance of the foundation remaining in place or not. Factor of 1.0 is a 50/50 chance of the foundation remaining in place or not. Factor of 1.0 is a 50/50 chance of the foundation remaining in place or not. Factor of 1.0 is a 50/50 chance of the foundation remaining in place or not. Factor of 1.0 is a 50/50 chance of the foundation remaining in place or not. Factor of 1.0 is a 50/50 chance of the foundation remaining in place or not. Factor of 1.0 is a 50/50 chance of the foundation remaining in place or not. Factor of 1.0 is a 50/50 chance of the foundation remaining in place or not. Factor of 1.0 is a 50/50 chance of the foundation remaining in place or not. Factor of 1.0 is a 50/50 chance of the foundation remaining in place or not. Factor of 1.0 is a 50/50 chance of the foundation remaining in place or not. Factor of 1.0 is a 50/50 chance			de manufactura de la compactiva de la comp		aqueous tailings. Section 11.14.6.7.6 states that "Tailings shall be dry stacked unless the Administrator determines that another method is more effective to ensure compliance with 11.14.3		
3					, , ,		
1,14.5.7.6   tailings   1,30/2019 tailings without standard and should be accepted   1,30/2019 tailings methods should be accepted   5.5ea above comment.   No action.   No change.						No action	No change
prohibitive. Other intermediary prohibitive. Other intermediary dailings methods should be accepted. See above comment.  No action.  No change.  No ch	35 11.14.6.7.6	tailings	1/30/2019	Santa Fe County.	making a final determination.	No action.	INO CHARGE.
36 11.14.6.7.6 tailings 1/30/2019 bailings methods should be accepted. See above comment. No action. No change.  37 11.14.6.7.7 stockpiling 1/30/2019 for during operation. but are good for closure. Static factor of 1.0 is a common standard of should be accepted. See above comment. No change.  38 11.14.6.7.7 stockpiling 1/30/2019 for during operation. Typically a static factor of 1.0 is a 50/50 chance of the foundation remaining in place or not. Factor of safety of 1.5 is appropriate. Remove second sentence because it suggests that highwalls can be maintained using the most effective size to suggest that highwalls can be maintained. Add that the 1.04 can consider historical evidence in determining cost of potential impacts. Add long term operation and management of facilities to performance financial cost of potential impacts. Add long term operation and management of facilities to performance financial surrantee. This subsection references  39 11.14.7.1 guarantee 1/30/2019 guarantee. This subsection references in revocable guarantees issued by a surety company. This appears to allow surety bonds, when the subsection 1.5.7.6 requires a guarantee be posted with a bank as an irrevocable [letter or credit or ILOC]. The fA terminology is nonsonadard and should be clarified.							
stockpiling requirements may not be possible to achieve during operation but are good for closure. Static factor of 1.0 is a 50/50 chance of the foundation remaining in place or not. Factor of the foundation remaining in place	36 11 14 6 7 6	tailings	1/30/2019	1.	See above comment.	No action.	No change.
possible to achieve during operation but are good for closure. Static factor of 1.0 is a 50/50 chance of the foundation remaining in place or not. Factor of 1.0 is a 50/50 chance of the foundation remaining in place or not. Factor of 1.0 is a 50/50 chance of the foundation remaining in place or not. Factor of the foundation rema	30 11.14.0.7.0	tunings	1,50,2515				
37 11.14.6.7.7 stockpiling 1/30/2019 for during operation. safety of 1.5 is appropriate. No change. No change. Removed: "If permitted, highwalls and using the most effective suggests that highwalls can be maintained using the most effective suggests that highwalls can be maintained using the most effective suggests that highwalls can be maintained using the most effective techniques identified by the best as celence."  Add that the LUA can consider historical evidence in determining cast of potential impacts. Add long term operation and management of facilities to performance financial guarantee.  39 11.14.7.1 guarantee 1/30/2019 guarantee. Survey coable guarantees in survey coable guarantees irrevocable guarantees issued by a survey to onds, when the subsection 11.5.7.6 requires a guarantee be posted with a bank as an irrevocable fletter or credit or ILOC]. The FA terminology is nonstandard and should be clarified.				possible to achieve during operation but are good for closure. Static	Typically a static factor of 1.0 is a 50/50 chance of		
Strike reference to surety company. This appears to allow surety bonds, when the subsection 11.5.7.6 requires a guarantee be posted with a bank as an irrevocable [letter or credit or [IOC]. The FA terminology is nonstandard and should be clarified.						Neckana	No change
Remove second sentence because it suggests that highwalls and betainted using the most effective techniques identified by the best a science."  This requirement is for operation  Add that the LUA can consider historical evidence, include the cost of long term operation and management of facilities along with closure, reclamation, monitoring and all costs associated with an operator creasing operations. Shall be updated annually facilities to performance financial guarantee.  Performance financial  39 11.14.7.1 guarantee  1/30/2019 guarantee is provided in the Add that the Admin can consider historical evidence in determining cost of potential impacts. Add long term operation and management of facilities along with an operator creasing operations. Shall be updated annually for reflect changes in any of these costs.  These are good suggestions and staff will modify the section.  This subsection references irrevocable guarantees is subsection frequires a guarantee be posted with a bank as an irrevocable [letter or credit or lLOC]. The FA terminology is nonstandard and should be clarified.  The sear good suggestions and staff will modify to reflect changes in any of these costs.  Strike reference to surety company. Capitalize Financial Guarantee.  Strike reference to surety company. Capitalize Financial Guarantee.  The sear good suggestions and staff will modify to reflect changes in any of these costs.  Strike reference to surety company. Capitalize Financial Guarantee.  Strike reference to surety company. Capitalize Financial Guarantee.  The sear good suggestions and staff will modify to reflect changes in any of these costs.  Strike reference to surety company. Capitalize Financial Guarantee.  The sear good suggestions and staff will modify to reflect changes in any of these costs.  The sear good suggestions and staff will modify to reflect changes in any of these costs.  This requirement is for operation.  This requirement is for operation.  This requirement is for operation.  These are good suggestions and sta	37 11.14.6.7.7	stockpiling	1/30/2019	for during operation.	safety of 1.5 is appropriate.	No change.	
Add that the Admin can consider historical evidence in determining cost of potential impacts. Add long term operation and management of facilities to performance financial guarantee  Performance financial  1/30/2019 guarantee  1/30/2019 gua	38 11 14 6 8	Maintenance of Highwalls	1/30/2019	•	This requirement is for operation	suggests that highwalls can be	maintained using the most effective techniques identified by the best available
39 11.14.7.1 guarantee 1/30/2019 guarantee. this section. costs. facility,"  This subsection references irrevocable guarantees issued by a surety company. This appears to allow surety bonds, when the subsection 11.5.7.6 requires a guarantee be posted with a bank as an irrevocable [letter or credit or ILOC]. The FA terminology is nonstandard and should be clarified	36 11.14.0.0		2,00,2020	Add that the Admin can consider historical evidence in determining cost of potential impacts. Add long term operation and management of		historical evidence. Include the cost o long term operation and managemen of facilities along with closure, reclamation, monitoring and all costs associated with an operator ceasing operations. Shall be updated annually	11.14.7 Added: "including the cost to revi and update the Financial Guarantee annu 11.14.7.1 Added: "to manage and close th
This subsection references irrevocable guarantees issued by a surety company. This appears to allow surety bonds, when the subsection 11.5.7.6 requires a guarantee be posted with a bank as an irrevocable [letter or credit or ILOC]. The FA terminology is nonstandard and should be clarified  This subsection references irrevocable guarantees issued by a surety company. Strike reference to surety company. Capitalize Financial Guarantee. Replace financial assurance with Financial Guarantee to show	30 11 14 7 1	19 3 3 5 5 5 5 4 4 4 4 4 4 4 4 4 4 4 4 4 4	1/30/2019	•		costs.	facility,"
guarantee be posted with a bank as an irrevocable [letter or credit or ILOC]. The FA terminology is nonstandard and should be clarified  Strike reference to surety company. Capitalize Financial Guarantee.  Replace financial assurance with Financial Guarantee to show	33 11.14.7.1	Barrence	1,00,201	This subsection references irrevocable guarantees issued by a surety company. This appears to allow surety bonds, when the			
I I I I I I I I I I I I I I I I I I I				guarantee be posted with a bank as an irrevocable [letter or credit or ILOC]. The FA terminology is		Capitalize Financial Guarantee. Replace financial assurance with Financial Guarantee to show	Democratic Curety company accurances
to explain what types of FA This is a good suggestion. This language places a Consistency throughout the Hemoved. Surely company, asset 40 11.14.7.1 financial assurance 1/30/2019 instruments would be accepted. limit on the Financial Guarantee. Guarantee and capitalized	40 44 44 74	financial commence	1/20/201	to explain what types of FA	This is a good suggestion. This language places a	consistency throughout the	-

Comment #	Section	Subject	Date Captured	Comment	Staff Analysis	Proposed Action	Applied
				This subsection references cash deposit as acceptable instruments for roadway damage compensation. The subsection 11.5.7.6 requires a			
				guarantee be posted with a bank as an irrevocable [letter of credit or ILOC]. The FA terminology is nonstandard and should be clarified	It is the intention of this section to require cash		
4.1	11 1 1 7 2	6	1 /20 /2010	to explain what types of FA	deposits for roadway damage. Staff does not see	No action.	No change.
41	11.14.7.2	financial assurance	1/30/2019	instruments would be accepted.	any conflict.	No action.	No change.
42	11.14.8.3	Leach and Spent Ore Facilities	1	Leach and spent ore are the same thing. Consider choosing one term.		Put one in (). Add "lean ore" to this section.	11.14.4.20.3 Added: "(Spent Ore and Lean Ore)"; Removed other reference to spent ore.
				what is meant by detoxify? Should This say dewater? Also, there might not be any need to cover facility if the spent ore is being removed. Or consider allowing it to remain in	Detoxify is commonly used in cyanide or chemical leaching. Neutralizing chemical. Difficult to do reclamation of leach pads in place with our		
43	11.14.8.3	Leach and Spent Ore Facilities	1/30/2019	_	requirements for terrain management.	No change.	No change.
				The month of September is wetter on average than June, so this section should read "the long-term average summer/early fall precipitation (July, August and		Add: "the long-term average summer/early fall precipitation (July,	Removed: (June, July and August); Added:
44	11.14.8.4.2	cover systems	1/30/2019	September)"	This is a good suggestion.	August and September)"	(July, August and September)
				If the reclamation costs are generated by an NM PE, they should be reviewed by a County PE. Also, reclamation requirements could cause double bonding with the state	The draft provides the LUA with the authority to		No change
45	11.5.6.6	reclamation	1/30/2019	and federal governments.  This section seems to be referring to an irrevocable letter of credit (ILOC). Use of the term guarantee might cause confusion with other financial instruments (self-guarantees, corporate guarantees, etc.). MMD recommends using ILOC and stating	Financial Guarantee is defined in the appendix of the SLDC and includes the option of an ILOC and other financial instruments. The LUA has the authority to choose which financial instrument she		No change.
46	11.5.6.6	reclamation	1/30/2019	as such.	deems appropriate.	No action.	No change.

omment #	Section	Subject	Date Captured	Comment	Staff Analysis	Proposed Action	Applied
a martine had a transportation about the real	e de la constitución de la const			The proposed amendments do not		Control of the Section of the Control of the Section of the Sectio	
				discuss a way to release financial			
				assurance (subsections 11.5.6.6 and			
				11.14.7). This is a very important			
				aspect of the financial assurance		, <del>*</del> -	
				process, setting up adequate		4	
				financial assurance, then releasing it			
				back to the operator once the	7.22.8 (Releases and Financial Guarantee) details		11.5.6.6 Added: "7.22.8 (Releases and
				reclamation work has been	the requirements and procedures for releasing		Financial Guaranty) details procedures for
				accomplished, and approved by the	financial guarantees. This applies to Chapter 11 and		releasing and demanding on a Financial
47	11.5.6.6; 11.14.7	financial assurance	1/30/2019	county.	should be referenced.	Add reference to SLDC 7.22.8.	Guarantee."
					No, it is not required elsewhere in the SLDC. Given		
					the history of mining in the US, applicant		
		Į.		Is applicant background called out	background is relevant. Similar requirements exist		
48	11.6.1.6	applicant background	1/28/2019	elsewhere in the SLDC ?	in other federal, state, and local regulations.	No action.	No change.
				How many of the eight review	The review of the applicant's background is part of	A.1	
				criteria are 'showstoppers'? That is,	the application process. All requirements of the		
				how many would result in denial of	application are examined and considered as part of		×
49	11.6.1.6	applicant background	1/28/2019	an application?	the discretionary review process.	No action.	No change.
					Risk assessment is not explicitly called out, but it is		
	7 2 7				the purpose of the entire application process. Staff		
	77				will review the application and make a		
					recommendation per the requirements of these		
	a)	7	×-	will staff be doing a risk assessment	regulations. All requirements of the application are		The state of the s
			200	based on the application? What	then examined and considered as part of the		
	C			standards and measures are being	discretionary review process. The final decision is		
50	11.6.2; 11.7.2	review criteria	1/28/2019	used to evaluate an application?	committed to the BCC.	No action.	No change.
				Clarify if requirement to submit a			
				preliminary cost estimate for site			
				improvements and reclamation			
				represents the costs for Santa Fe			
				County or the applicant to do the			
				reclamation. Should the estimate be			
				detailed or preliminary? may imply if			
				reclamation is a detailed or	This is a cost estimate for the applicant to perform		
51	11.7.1.7	cost estimate	1/30/201	preliminary design.	site improvement and reclamation.	No action.	No change.

Comment	Section	Subject	Date Captured	Comment	Staff Analysis	Proposed Action	Applied
				No mention of the following			
				environmental impacts: temperature			
				impacts, when noise levels occur and			
				their duration, odors, nuclear			
				radiation, electromagnetic or			
				microwave intensity levels, invasive	*		
				and noxious plants, native plants and			
				wildlife including pollinators, soil			
				biological health and microbiology of			
				soil, wildfire, community cohesion,			
				changes in demography associated			
				with DCI, impacts on vulnerable			
				people, disaster preparedness,			
					To the extent that the EIR does not explicitly		
				economic benefits and multiplier	require consideration of these impacts, the County		
					has the authority to require consideration of these		
1	11.7.1.8 and			place and impact on culture values	and other impacts if relevant to the proposed DCI	At a pation	No change.
52 0	chapter-wide	environmental/social standards	1/24/2019	and native sovereignty.	(11.7.1.8).	No action.	No change.
				l u si li si	The County does not see conflict between these		
				Language potentially conflicts with 11.14.9. Add "to the extent	provisions. Both provisions require that reclamation of one phase begin prior to initiation of the next		9
F2	117102	Do alo vestio v	1/20/2010			No action.	No change.
53 .	11.7.1.9.3	Reclamation	1/30/2019	practicable" to 11.14.9.	phase.	No action.	
				2:1 clone may cause confusion if not	"3:1" is used elsewhere in the SLDC and has not		
			,		caused confusion. Staff suggests leaving it as is to		
				to 1 (V) slope. Also, this standard	keep consistency with other parts of the Code. The		
				may be difficult to meet for high	second comment is not an issue because backfilling		
				walls in pits without backfilling them			
				as is the preference in subsection	that a highwall is allowed, they have the authority		
54	11.7.1.9.3 (b)	grading	1/30/2019	11.14.6.6.1.	to adjust slope requirement.	No action.	No change.

Comment #	Section	Subject	Date Captured	Comment	Staff Analysis	Proposed Action	Applied
				Revegetation requirements mention that if irrigation is needed, the reclamation plan shall explain how			
			1	the site will be managed in perpetuity. This may conflict with			
			1	NMMA approval requirements for			
			1	new mines with respect to a self- sustaining ecosystem			
			1	(19.10.6.606.B(1) NMAC) and not			
				having perpetual care			a limet to the standard standard
				(19.10.6.606.B(7) NMAC). Maybe perpetuity has a different meaning			Removed: "If irrigation is necessary, the plan shall explain how the site will be managed in
55	11.7.1.9.3 c	revegetation	)	here, should perhaps be defined.	This sentence does not make sense in the context.		perpetuity."
				"without any incidents" may be very			
		<i>y</i>		difficult to achieve because of the nature of reclamation often			
				earthwork and establishment of			Removed: "without any incidents that would
			1	vegetation. Maybe, a better			result in noncompliance with any of the standards of this Chapter and the SLDC. The
		1		requirement would be to meet reclamation standards over a period			burden of proof of harmlessness for any
		Proof of responsible and	1	of 5 to 10 years. Use Best			proposed technology lies with the proponent
5.5	44.74.00	established technology and	1		We agree. This language is inconsistent with the	any incidents" to the end of	of the innovation, not the County or the general public."
	<u>11.7.1.9.8</u> <u>11.8.3</u>	practices Water Resources		and Canada. Add reference to NMAC 20.6.2	intent of the paragraph.  This was an oversight that will be addressed.	paragraph. Add reference to NMAC 20.6.2	Added: "NMAC 20.6.2 and"
3/	11.0.5	Water Nesources	1/30/2013	Add reference to Minac 20.0.2	This was an oversight that will be addressed.	Add reference to Minite 2010.2	11.7.1.9 added: "9. Wildlife Impact Mitigation
				How could a mine not disturb			Plan. The applicant shall submit a Wildlife
				wildlife habitat? habitat and wildlife			Impact Mitigation Plan developed by a wildlife
				corridors should be modified to			specialist approved by the Administrator. The
				mitigate/offset/compensate for	11.14.4.19 requires a wildlife impact mitigation plan		Plan shall describe how any impacts on wildlife attributable to the DCI will be
				impact on wildlife. Wildlife impact plan should apply to all DCIs, not just	for mining. Staff determined to include wildlife impact plan in general regulations for DCIs without	Add to 11.7.1.9: Wildlife Impact Plan:	eliminated and/or mitigated to the greatest
58	11.8.4.1; 11.14.4.19	wildlife	1/24/2019		reference to 11.14.4.8 and 11.14.4.10.	first 1.5 sentence of 11.14.4.19.	extent possible."
							11.8.5.5 Added: "properly designed"; "and the
							Board may impose conditions base don that
		,					report." 11.14.6 Added: "The following
							performance standards shall apply to both
		2		Does this section refer to operations,		Add: "unless a properly designed	operation and closure of a mineral resource
				closure or both? There are some		retaining wall is used" "Administrator may vary from these requirements	extraction and processing operation to the extent applicable:"; 11.14.8 Moved all to
				circumstances where vertical slopes may actually be optimal. Add	This is a performance standard and applies to	based on the report". Add	11.14.4.20 and Added: "The closure of a
				"properly designed" to retaining	operation. It does not currently apply to closure but		50 A A (A
59	11.8.5.5	Cut and Fill Slopes	1/30/2019		staff believes that it should.	requirements to the extent applicable	

Comment	Section	Subject	Date Captured	Comment	Staff Analysis	Proposed Action	Applied
PATE NATIONAL PROPERTY.		THE PROPERTY OF THE PROPERTY O			TO THE RESERVE OF THE PROPERTY		11.8.5.5 Changed to: "Cut slopes shall be
			9				graded to a slope no steeper than 2:1, and fill
				May be no steeper than 2 (H) to 1	This is an operational standard. 11.7.1.9.3.b applies		slopes shall be graded to a slope no steeper
				(V). Clarify that this is temporary	to reclamation. 2:1 should be kept as and fill slopes	Change fill slopes to 3:1; Add:	than 3:1; Added: "properly designed"; "and
				terrain management standard so as	should be changed to 3:1 for consistency is for	"properly designed" and allow the	the Board may impose conditions based on
60	0 11.8.5.5	Cut and Fill Slopes	1/30/2019	not to conflict with 11.7.1.9.3 (b)	consistency	Board to impose conditions.	that report."
				Conflict with 11.14.6.6.4. Add that			Added: "excluding properly designed
				this does not apply to sediment	9	Add: excluding sediment ponds	sediment ponds pursuant to section
61	1 11.8.5.7	Sediment and Erosion	1/30/2019	ponds.	This was an oversight that will be addressed.	pursuant to 11.14.6.6.4	11.14.6.6.4."
				Incorrect citation for financial			
62	2 11.8.9	financial feasibility	1/18/2019	assurances section. Change to 11.5.6	This was an oversight that will be addressed.	Change citation	Changed citation to 11.5.6.
			n 1			Staff proposes clarifying language in	
			200			11.9.3.2.2 and 11.10.3.2: "The	, ,
				300 ft. setback is too close for	The 300 ft. setback was established by the BCC in	property boundary of a DCI shall not	
				junkyards, feedlots, and landfills in	the SLDC. This setback is defined from the property	be located closer than one-quarter	11.10.3.2 Added: "2. the property boundaries
				the case where it is adjacent to a	boundary. The property boundary of a DCI may not	(1/4) mile from the property boundary	shall not be located closer than one-quarter
				residences or potential residential	be within 1/4 mile of a residential structure or an	of any existing dwelling or platted	(1/4) mile from any existing dwelling or land
63	3 11.9.3.2; 11.10.3.2	setbacks	1/31/2019		area subdivided for residential development.	subdivision."	subdivided for residential development."
				is zoning already locked in? could a	The SLDC has established base zoning for the		
				resident still apply for a DCI on their	County. Any parcel can apply for a DCI Overlay Zone		
64	General	zoning designation	1/28/2019		if they meet the requirements of the SLDC.	No action.	No change.
				Several citations of 11.14.3 are			
				incorrect (ex: 11.13.3 instead). Check			Changed reference to 11.13.3 to 11.14.3
65		Citations	1/30/2019	all citations.	This was an oversight that will be addressed.	Change citation.	throughout the document.